

PATENT  
ATTORNEY DOCKET NO. 045636-5055

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Pascale SERROR <i>et al.</i>	)	
	)	
Application No.: 10/088,293	)	Group Art Unit: unassigned
	)	
I.A. Filing Date: September 15, 2000	)	Examiner: unassigned
	)	
Date of National Stage Entry: September 17, 1999	)	
	)	
For: METHOD FOR GENETIC MODIFICATION OF	)	
LACTOBACILLUS DELBRUECKII	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

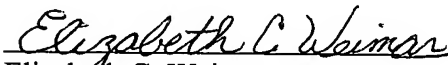
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
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Dated: October 15, 2002  
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<b>INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)  <b>PTO Form 1449</b>				Attorney Docket No. 045636-5055		Application No. <b>10/088,293</b>	
				Applicants: <b>Pascale SERROR et al.</b>			
				IA Filing Date: <b>Sept. 15, 2000</b>		Priority Date: <b>Sept. 17, 1999</b>	
<b>U.S. PATENT DOCUMENTS</b>							
<b>*Examiner Initial</b>		<b>Document Number</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Sub Class</b>	<b>Filing Date</b>
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Sub Class	Translation Yes    No
		<b>WO 93/18164</b>	<b>Sep. 16, 1993</b>	<b>WIPO</b>			
		<b>0603416</b>	<b>June 29, 1994</b>	<b>EPO</b>			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
		International Search Report for International Application No. PCT/FR00/02565 mailed April 23, 2001.					
		Tailliez et al., 1994, Gene (Amsterdam), 145(1): 75-79.					
		Walker et al., 1994, Journal of Bacteriology, 176(17): 5330-5340.					
Examiner:				Date Considered:			
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							